

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 15872.015
INTERNATIONAL APPLICATION NO. PCT/IL04/000087	INTERNATIONAL FILING DATE 29 January 2004	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/507789 PRIORITY DATE CLAIMED 29 January 2004
TITLE OF INVENTION HIGH LYCOPENE TOMATO VARIETIES AND USE THEREOF		
APPLICANT(S) FOR DO/EO/US PELEG, et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

AP20 Rec'd PCT/PTO 28 JUL 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/587789		PCT/IL04/000087		15872.015	
20. Other items or information:					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....	\$300	\$	300	
22.	<input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))		\$	200	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....			\$0		
All other situations.....			\$200		
23.	<input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))		\$	100	
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....			\$0		
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....			\$100		
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....			\$400		
All other situations.....			\$500		
TOTAL OF 21, 22 and 23 =				600	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	0 /50 =	0	x \$250	\$ 0	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).			\$	0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	38 - 20 =	18	x \$ 50	\$ 900.00	
Independent claims	2 - 3 =	0	x \$200	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,500.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				750.00	
SUBTOTAL =				\$ 750.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).			+	\$	
TOTAL NATIONAL FEE =				\$ 750.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+	\$	
TOTAL FEES ENCLOSED =				\$ 750.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

10/587789

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AP20 REC UPT/PTO 28 JUL 2006

- a. ☒ A check in the amount of \$ 750.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 060590 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 060590. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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NAME

46,714

REGISTRATION NUMBER

Dated: July 28, 2006

10/587789
IAP6 Rec'd PCT/PTO 28 JUL 2006

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July 28, 2006

VIA EXPRESS MAIL – EV 516 428 820 US

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Submission of a New United States Patent Application
(U.S. National Stage of PCT/IL2004/000087)
Title: "High Lycopene Tomato Varieties and Use Thereof"
Filing Date: July 28, 2006
Our Reference No.: 15872.015

Dear Sir:

We hereby submit the following documents concerning the referenced patent application:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. § 371;
2. Copy of the International Publication No. WO 2005/072515 A1;
3. Preliminary Amendment;
4. Check in the amount of \$750.00;
5. Diskette containing Sequence Listing and Submission of Sequence Listing; and
6. Postage-paid postcard acknowledging receipt of this letter and the foregoing.

FENNEMORE CRAIG, P.C.

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AP20 Rec'd PCT/PTO 28 JUL 2006

Mail Stop PCT
Commissioner for Patents
July 28, 2006
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Please accord this application a serial number and a filing date. Applicant claims small entity status. The Commissioner is hereby authorized to charge the fee required to Deposit Account No. 060590.

Respectfully submitted,

By Rodney J. Fuller
Rodney J. Fuller
Registration No. 46,714

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10

Express Mail Label No. EV 516 428 820 US

Date of Deposit: July 28, 2006

I hereby certify that this paper and all documents and any fee referred to herein are being deposited on the date indicated above with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, postage prepaid and addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Rebecca Camelio
Rebecca Camelio

July 28, 2006
Date of Signature